

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

This matter is before the Court on defendant's motion for modification of sentence pursuant to 18 U.S.C. § 3582(c)(2) (Filing No. [1216](#)). The Court has reviewed defendant's current motion, as well as his previous requests for modification of sentence (Filing Nos. [1078](#) and [1191](#)). Defendant was convicted of violation of 21 U.S.C. § 848(b), a continuing criminal enterprise, and the modifications of the sentencing guidelines are not applicable to defendant. The United States Court of Appeals for the Eighth Circuit has affirmed the previous decisions of this Court to this effect (Filing No. [1215](#)). His motion should be denied. Accordingly,

IT IS ORDERED that defendant's motion for modification of sentence is denied.

DATED this 27th day of September, 2012.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court